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Working Group on Children and Armed Conflict

Conclusions on the situation of children and armed conflict affected by the Lord's Resistance Army

1. At its 36th meeting, on 18 January 2013, the Working Group on Children and Armed Conflict examined the first comprehensive report of the Secretary-General on the situation of children and armed conflict affected by the Lord's Resistance Army (LRA) dated 25 May 2012 (S/2012/365), which provided information on six grave violations and abuses committed against children by LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan during the period from July 2009 to February 2012.

2. The report was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. Representatives of the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda also addressed the Working Group.

3. The Working Group welcomed the report of the Secretary-General, submitted in accordance with Security Council resolutions 1612 (2005) and 1882 (2009), and took note of the analysis and recommendations set out therein.

4. The Working Group acknowledged that LRA was a regional problem that called for a cross-border approach and, in that regard, recalled its previous recommendations on LRA contained in the conclusions on children and armed conflict in Uganda (S/AC.51/2010/1, S/AC.51/2008/13 and S/AC.51/2007/12).

5. The Working Group expressed appreciation for the efforts by the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to promote the protection of children, including the progress made with regard to the demobilization and rehabilitation of children formerly associated with LRA, such as the development of the operational plan for cross-border repatriation, care and reunification of children escaped or rescued from LRA.

6. The Working Group also welcomed the African Union-led Regional Cooperation Initiative against LRA and the establishment of a United Nations regional monitoring and reporting strategy for LRA-affected areas, urging the full implementation of the United Nations regional strategy to address the threat and impact of the activities of LRA, which had been developed in close collaboration with the African Union, United Nations missions and country teams and States in the LRA-affected areas.

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7. The Working Group expressed grave concern about the continued violations and abuses committed against children by LRA and condemned its recruitment and use of children, killing and maiming in violation of applicable international law, sexual violence, abductions, attacks on schools and hospitals as such and the denial of humanitarian access, which had led to the continued listing of LRA in the annex to the Secretary-General's annual report on children and armed conflict since 2003.

8. The representatives of the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda stressed that they remained deeply concerned about the threat that LRA represented to the region and condemned its continuing attacks. They highlighted the specific measures taken by their Governments against LRA and their cooperation within the framework of the Regional Cooperation Initiative.

9. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012), the Working Group agreed to the direct action set out below.

Public statement by the Chair of the Working Group

10. The Working Group agreed to address a message to LRA through a public statement by its Chair on behalf of the Working Group and to request the Special Representative of the Secretary-General for Children and Armed Conflict to ensure that the message was communicated to LRA in the most effective manner:

(a) *Expressing its condemnation in the strongest terms* of the continued violations and abuses committed against children by LRA, and condemning the LRA recruitment and use of child soldiers, killing and maiming in violation of applicable international law, sexual violence, abductions, attacks on schools and hospitals as such and denial of humanitarian access in the Central African Republic, the Democratic Republic of the Congo and South Sudan;

(b) *Demanding in the strongest terms* that LRA immediately cease all violations of international law, involving:

(i) Recruitment and use of children, including the use of children in non-combat roles, and urging it to facilitate the immediate release of all children remaining or newly born within the ranks of LRA;

(ii) Acts of rape and all other forms of sexual violence and exploitation, in particular against children;

(iii) Killing and maiming of children;

(iv) Abductions and attacks on civilians, in particular children;

(v) Attacks or threats of attacks on schools and hospitals, including their personnel;

(c) *Recalling* that the International Criminal Court has issued arrest warrants for Joseph Kony, Okot Odhiambo and Dominic Ongwen on charges of war crimes and crimes against humanity, including murder, rape and enlistment of children;

(d) *Encouraging* all child LRA fighters and abductees to leave LRA to the extent feasible, and reminding them that there is support available to them through

the disarmament, demobilization, repatriation, resettlement and reintegration process;

(e) *Recalling* that the Working Group will closely monitor, including through the reports of the Secretary-General on the situation of children and armed conflict, compliance by LRA with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012);

(f) *Stressing* that the Working Group intends to consider a broad range of options to increase pressure on LRA as a persistent perpetrator of violations and abuses against children affected by armed conflict, including by submitting information on persistent perpetrators to relevant sanctions committees.

Recommendations to the Security Council

11. The Working Group agreed to recommend that the President of the Security Council transmit letters addressed to the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda:

(a) *Welcoming* the efforts by the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to promote the protection of children affected by LRA and to end the threat posed by LRA, expressing in this context its support for the African Union-led Regional Cooperation Initiative against LRA, launched on 24 March 2012, and urging further progress towards its operationalization and implementation;

(b) *Noting* the significant increase in individuals, including children, defecting from or leaving LRA, and taking note of efforts undertaken in this regard;

(c) *Welcoming* increased cooperation with regard to the demobilization and rehabilitation of children formerly associated with LRA, including cross-border measures taken to address repatriation, care and family reunification and related guiding principles;

(d) *Noting* that the Central African Republic, the Democratic Republic of the Congo and Uganda have endorsed the Paris Principles and the Paris Commitments, which provide guidelines for disarmament, demobilization, repatriation, resettlement and reintegration;

(e) *Expressing grave concern* about the threat that LRA poses to affected States by its continued violations and abuses committed against children, and condemning its recruitment and use of children, killing and maiming in violation of applicable international law, sexual violence, abductions, attacks on schools and hospitals as such and denial of humanitarian access;

(f) *Underlining* the primary responsibility of States in the LRA-affected areas to protect civilians and take all appropriate action in this regard, and commending the efforts undertaken to apprehend top LRA commanders and to protect civilians from the LRA threat, including those undertaken by the African Union-led Regional Cooperation Initiative;

(g) *Encouraging* States in the LRA-affected areas to continue to strengthen efforts to ensure accountability for LRA perpetrators of violations and abuses against children and to bring to justice those responsible;

(h) *Stressing* that all military action against LRA should be conducted in compliance with applicable international law, including provisions regarding the protection of civilians, and in this regard taking into account the association of children with LRA;

(i) *Welcoming* in this respect the efforts undertaken by the African Union-led Regional Cooperation Initiative and the holding of the second ministerial meeting of the Joint Coordination Mechanism, at which the Mechanism adopted, on 15 January 2013, the strategic directives, the concept of operations, the rules of engagement and the standard operating procedures;

(j) *Welcoming also* the progress made by the Uganda People's Defence Forces in establishing standard operating procedures for the reception and handover of LRA children to civilian child protection actors, and encouraging the Central African Armed Forces, the Armed Forces of the Democratic Republic of the Congo and the Sudan People's Liberation Army, in their national capacity, to adopt similar handover procedures;

(k) *Noting* the emergence of militias and related movements linked to the lack of security caused by LRA activities, and in this context expressing concern about the reports of recruitment of children by those groups;

(l) *Encouraging* States in the LRA-affected areas, in cooperation with their partners, to prioritize development programmes to support the successful reintegration of children separated from LRA, in particular those targeting community acceptance of such children.

12. The Working Group agreed to recommend that the President of the Security Council transmit a letter to the Secretary-General:

(a) *Recognizing* the important role played by the United Nations and its peacekeeping and special political missions in the region in the protection of children, stressing the need for continued coordination and information-sharing between those missions and relevant actors relating to the regional threat of LRA, and equally stressing the importance of maintaining sufficient child protection capacity and, where necessary, increasing such capacity;

(b) *Expressing support* for the regional network of child protection focal points for LRA-affected areas;

(c) *Urging* the swift implementation of the child protection pillar of the United Nations regional strategy to address the threat and impact of the activities of LRA;

(d) *Noting* the ongoing efforts to promote defections, and urging all United Nations missions and actors in the region to work with regional forces and non-governmental organizations to encourage all children to leave LRA and to support the disarmament, demobilization, repatriation, resettlement and reintegration process throughout the LRA-affected areas;

(e) *Underlining* the importance of strengthening the capacity of national authorities to expand the rule of law and ensure socioeconomic development in the affected areas in order to provide children formerly associated with LRA with a viable alternative, thus preventing their rerecruitment;

(f) *Calling for* the Secretary-General to continue to issue a comprehensive report on the situation of children affected by LRA, with special emphasis on cross-border issues.

13. The Working Group agreed to recommend that the President of the Security Council transmit a letter to the African Union:

(a) *Expressing support* for the African Union-led Regional Cooperation Initiative against LRA, launched on 24 March 2012, and highlighting the importance of further progress towards its operationalization and implementation;

(b) *Stressing* the need for all military action against LRA to be conducted in compliance with applicable international law, including provisions regarding the protection of civilians, and in this regard taking into account the association of children with LRA;

(c) *Emphasizing* the importance of deploying child protection officers in order to, inter alia, mainstream child protection issues in the African Union Regional Task Force;

(d) *Welcoming* the dialogue between the African Union Special Envoy on LRA and the Special Representative of the Secretary-General for Children and Armed Conflict on developments in relation to LRA, in particular on the implementation of the African Union-led Regional Cooperation Initiative, and encouraging the continuation of this dialogue.

Direct action by the Working Group

14. The Working Group also agreed to send a letter from the Chair of the Working Group addressed to the World Bank and donors:

(a) *Highlighting* the importance of mobilizing resources in support of the release, return and reintegration of children formerly associated with LRA into their respective families and communities;

(b) *Encouraging* the World Bank and donors to support long-term reintegration that targets community acceptance of children separated from LRA and to keep the Working Group informed, as appropriate;

(c) *Underlining* the importance of strengthening the capacity of national authorities to expand the rule of law and ensure socioeconomic development in the affected areas in order to provide children formerly associated with LRA with a viable alternative, thus preventing their rerecruitment.